

REMARKS

Reconsideration of the above-identified patent application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-4, 6-15, 20, 21, 24, 27, 28, 31, 32, 35-38 and 45-48 are in this case.

Claims 1-4, 6-15, 20, 21, 24, 27, 28, 31, 32, 35-38 and 45-48 have been rejected under § 112, second paragraph. Claims 1-4, 6 and 7 have been rejected under § 102(b).

Claims 1-4 and 6-15 have been rejected under § 103(a). Claims 20, 21, 24, 27, 28, 31, 32, 35-38 and 45-48 have been objected to. Independent claim 1 and dependent claims 2-4 and 6-15 have been canceled. Independent claims 45 and 46 and dependent claims 20 and 24 have been amended.

§ 112, Second Paragraph Rejections

The Examiner has rejected claims 1-4, 6-15, 20, 21, 24, 27, 28, 31, 32, 35-38 and 45-48 under § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner has pointed out that it is not clear what the relationship is between “virtual devices” and “physical devices” if some embodiments of the invention as claimed have one virtual device per physical device and other embodiments of the invention as claimed have more than one virtual device in the same physical device.

Claims 1-4 and 6-15 have been canceled, thereby rendering moot the Examiner’s rejection of these claims.

With regard to the remaining claims, in a telephonic interview on June 22, 2006, the Examiner advised Applicant’s representative that the rejections under § 112,

second paragraph would be overcome if all virtual devices that are identical to physical devices were recited simply as “devices”. The relevant claims are independent claims 45 and 46 and claims 20, 21 and 24 that depend therefrom.

Claim 45, prior to the present amendment, recited first and second virtual devices that are implemented in separate respective first and second physical devices. Claim 45 now has been amended to recite first and second “devices”, without reference to the virtuality or physicality of the devices. Correspondingly, claim 20 has been amended to recite limitations of a “second device”.

Claim 46, prior to the present amendment, recited first, second and third virtual devices, with the first and third virtual devices implemented in a first physical device and the second virtual device implemented in a second physical device. In claim 46 as now amended, the device formerly referred to as the “second virtual device” now is referred to as simply a “device” and the device formerly referred to as the “third virtual device” now is referred to as the “second virtual device”. The two virtual devices are described as being implemented in a “common physical device”. Correspondingly, claim 24 has been amended to recite limitations of a “physical device”.

In light of the Examiner’s advice, the remaining claims do not require amendment to overcome the rejection under § 112, second paragraph because these claims recite first and second virtual devices that are implemented in a common physical device.

The Examiner also has rejected claim 1 under § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner has pointed out that the term “reversibly operationally connecting” is not defined by the specification.

The cancellation of claim 1 renders moot the Examiner’s rejection of this claim under § 112, second paragraph.

§ 102(b) Rejections – Rasmussen et al. ‘146

The Examiner has rejected claims 1-4, 6 and 7 under § 102(b) as being anticipated by Rasmussen et al., US Patent No. 6,502,146. The Examiner’s rejection is respectfully traversed.

Claims 1-4, 6 and 7 now have been canceled, thereby rendering moot the Examiner’s rejection of these claims.

§ 103(a) Rejections – Applicant’s Admitted Prior Art

The Examiner has rejected claims 1-4 and 6-14 under § 103(a) as being unpatentable over Applicant’s Admitted Prior Art. The Examiner’s rejection is respectfully traversed.

Claims 1-4 and 6-14 no have been canceled, thereby rendering moot the Examiner’s rejection of these claims.

§ 103(a) Rejections – Applicant’s Admitted Prior Art in view of Hanes et al. ‘725

The Examiner has rejected claim 15 under § 103(a) as being unpatentable over Applicant’s Admitted Prior Art in view of Hanes et al., US Patent No. 6,813,725. The Examiner’s rejection is respectfully traversed.

Claim 15 now has been canceled, thereby rendering moot the Examiner’s rejection of this claim.

Objections

The Examiner has noted that claims 20, 21, 24, 27, 28, 31, 32, 35-38 and 45-48 would be allowable if amended to overcome the rejection under § 112, second paragraph.

As discussed above, claims 20, 24, 45 and 46 have been so amended, and the amendments to these claims implicitly resolve the rejection under § 112, second paragraph of the remaining claims.

In view of the above amendments and remarks it is respectfully submitted that independent claims 31, 38 and 45-48, and hence dependent claims 20, 21, 24, 27, 28, 32 and 35-37 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



Mark M. Friedman
Attorney for Applicant
Registration No. 33,883

Date: June 29, 2006